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New York

President:	Mr. Heller	(Mexico)
Members:	Austria	Mr. Lutterotti
	Burkina Faso	Mr. Koudougou
	China	Mr. Dai Demao
	Costa Rica	Mr. Guillermet
	Croatia	Ms. Čačić
	France	Mr. Fieschi
	Japan	Mr. Ishikawa
	Libyan Arab Jamahiriya	Mr. Gouider
	Russian Federation	Mr. Safronkov
	Turkey	Mr. Gümrükçü
	Uganda	Mr. Ociti
	United Kingdom of Great Britain and Northern Ireland	Mr. Green
	United States of America	Mr. McBride
	Viet Nam	Mr. Hoang Chi Trung

Agenda

Maintenance of international peace and security

Mediation and settlement of disputes

Report of the Secretary-General on enhancing mediation and its support activities (S/2009/189)

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The meeting resumed at 3.15 p.m.

The President (*spoke in Spanish*): I should like to inform the Council that I have received a letter from the representative of the Sudan, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Mohamad (Sudan) took the seat reserved for him at the side of the Council Chamber.

The President (*spoke in Spanish*): I now give the floor to the representative of South Africa.

Mr. Sangqu (South Africa): We wish to express our appreciation to the presidency of the Security Council for organizing this important debate on the maintenance of international peace and security: mediation and settlement of disputes. We also wish to recognize the role played by Burkina Faso, whose initiative last year culminated in the report of the Secretary-General before us (S/2009/189).

In its Article 2, paragraph 3, the United Nations Charter requires Member States to "settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered". Article 33 of the Charter requires Member States to seek a solution by peaceful means to any dispute that they might be party to.

In this regard, the United Nations has, over the years, played a useful role in helping to mediate inter- and intra-State conflicts before they escalate into armed conflicts, after the outbreak of violence and during the implementation of peace agreements. However, peaceful resolution of disputes is a sovereign responsibility, and, therefore, building effective local and national capacity should be a priority within States.

Similarly, the African Union (AU) continues to play a meaningful and active role towards the peaceful settlement of disputes through negotiation, mediation, conciliation or arbitration, within its limited resources and capabilities. The active role that the African Union has played and continues to play in conflict prevention and resolution in Africa should be seen as complementing the efforts of the United Nations. The establishment of the African Peace and Security Architecture, including the Early Warning System, the Pan-African Parliament and the Economic, Social and Cultural Council, the New Partnership for Africa's Development and the Peer Review Mechanism of the AU have gone a long way in improving security as well as creating sustaining conditions of political stability, good governance and economic development.

Mediation has become an indispensable tool in the prevention and resolution of conflicts, as more and more conflicts are intra-State rather than inter-State in nature. The major advantage of mediation is that it can be deployed timeously, before the conflict escalates into a full-blown conflict. It is also cost-effective. However, mediation is the least-used — or the least-recognized — among the tools available for conflict resolution and prevention. We therefore support the Secretary-General's proposal to strengthen United Nations capacity in mediation through the Department of Political Affairs and the Mediation Support Unit.

South Africa welcomes the view expressed in the report of the Secretary-General that the United Nations, however, does not have a monopoly on mediation and that regional organizations could hold a comparative advantage that allows for early intervention. The key factors in this regard are proximity, knowledge of regional dynamics and the immediate impact of the conflict. Regional and subregional organizations have demonstrated the willingness and capability to facilitate such mediation. Notwithstanding this advantage there is a need for proper coordination and for ensuring synergy, coherence and a well-coordinated strategy between all international actors and regional stakeholders.

We therefore welcome the ongoing cooperation between the United Nations and the African Union in building capacity in mediation and echo the Secretary-General's appeal for flexible financing and for mediation to be properly resourced. In the long term, the advantages and cost-effectiveness of mediation in the prevention of deadly conflict are reasons to embrace its methods, particularly in view of the cost in human life, displacement and destruction of countries' political and economic infrastructure that result from conflicts, as well as the cost of post-conflict

peacebuilding and the deployment of peacekeeping operations.

The role of women as peacemakers cannot be overemphasized. In this regard, the objectives of resolutions 1325 (2000) and 1820 (2008) remain valid in ensuring gender participation in peacemaking and peacebuilding activities.

Allow me to highlight some of the factors in mediation that we believe are crucial to the success of mediation. Ownership of the mediation process by the various parties in conflict and the role of support mechanisms are of critical importance. The success of mediation efforts at times cannot be measured in the short term. It is important to allow the parties to find their own solutions, the process of which tends to be long and painstaking. There are no quick fixes or one-size-fits-all solutions.

Mediation must gain the trust of the parties and keep them focused on resolving disputes by identifying and addressing the root causes of the conflict and seeking acceptable resolutions to them. Parties and leaders must always keep in mind that their national responsibility to the welfare of their citizens overrides their narrow individualistic political interests.

Mediation should be seen as a strategic intervention and should be properly planned for. It cannot be an ad hoc engagement — hence the need to build and develop a cadre of mediators with the necessary training and support.

Interlocking early warning systems, sound analytical capability and complementarities with regional organizations and non-governmental organizations could assist in identifying systemic challenges that could potentially trigger conflict.

The role of the Security Council should always be directed at supporting and facilitating the efforts of the mediator, rather than at frustrating them. The Council should always avoid the temptation to pre-empt the outcome of mediation efforts and allow the mediators the necessary time and space to do their work. Our experience is that when the Council has interfered by predetermining the outcome in the mediation efforts either of the Secretary-General or of regional organizations, the results have not always been positive.

We are obviously encouraged by the fact that the Secretary-General shares the view that mediation, by its very nature, has to be quick, quiet and discreet. In that regard, the Southern African Development Community (SADC) has been working hard, at the subregional level, to facilitate the political process aimed at reaching agreement between the parties in Zimbabwe. We applaud the important role that has been played by SADC in facilitating the Zimbabwe political parties reaching a power-sharing agreement that led to the formation of an inclusive Government. We are convinced that the recent political developments will provide greater impetus for the people of Zimbabwe to carry on with the national reconciliation, economic recovery, reconstruction and development processes. We call on the international community to support those efforts, in particular by lifting the sanctions, which continue to have a destabilizing effect on the recovery and reconstruction processes in Zimbabwe.

Finally, South Africa associates itself with the sentiments expressed in the draft presidential statement to be adopted later today.

The President (*spoke in Spanish*): I now give the floor to the representative of Finland.

Mr. Viinanen (Finland): We wish to thank you, Mr. President, for organizing this debate on this important issue. Similarly, we thank the Secretary-General for his valuable report (S/2009/189) on mediation and its support activities. We trust that this report will start a process that leads to more structured and professional mediation activities not only of the United Nations Secretariat, but also in support of Member States, regional organizations and civil society. Finland aligns itself with the statement to be delivered by the representative of the Czech Republic on behalf of the European Union. In addition, I have the honour of presenting some additional national views.

Mediation and settlement of disputes lie at the very core of the United Nations, and especially of the Security Council, with its primary responsibility for maintaining international peace and security. Finland supports United Nations mediation efforts and stresses the importance of enhancing the capacities for mediation available within the United Nations framework. Hence, we warmly welcome the role and active input of the Mediation Support Unit of the Department of Political Affairs, which provides

important expertise for the mediation efforts of the United Nations and its partners.

While the United Nations has traditionally occupied the leading role in international conflict mediation, regional and subregional partners are assuming growing responsibility in that field, as my colleague from South Africa just mentioned. The European Union, while learning from the valuable experience provided by the United Nations, is developing its own capacities for peace mediation. Also, the Organization for Security and Cooperation in Europe has developed versatile tools for conflict resolution.

In the light of the current Security Council agenda, particular attention has to be paid to Africa. Finland strongly supports the strengthening of the African Union's mediation capacity. For that purpose, we are providing €2.9 million to finance a joint project on enhancing the African Union's mediation capacity. Against that background, we cannot but encourage the United Nations to further engage in dialogue and cooperation with regional and subregional organizations.

Local ownership is essential for effective and sustainable mediation results, as local actors are most aware of the actual situations, conditions and sensitivities.

In order to build sustainable peace and security, there is also a need for increased attention to women's equal and active participation in the mediation and peace negotiations. In conflict situations women are capable and powerful actors, and they should be encouraged to actively participate in the settlement of disputes. Up to now, no more than eight women have served as high-level United Nations representatives in the field. We agree with the Secretary-General that that is not enough.

We emphasize once again the need to fully implement Security Council resolution 1325 (2000) and draw the attention of the Council to the recommendations of the recent International Colloquium on Women's Empowerment, Leadership Development and International Peace and Security, which was jointly chaired by the President of Liberia, Ellen Johnson-Sirleaf, and the Finnish President, Tarja Halonen.

The successful act of mediation is not concluded by the signature of a peace agreement. As stated by the Secretary-General, mediation must be followed by immediate post-conflict peacebuilding efforts, notably in the areas of police, rule of law, democracy, human rights, disarmament, demobilization and reintegration and security sector reform. We hope that the forthcoming report of the Secretary-General on early recovery and peacebuilding will provide concrete recommendations in making the United Nations system more coherent in the area of early peacebuilding.

Finland has a long tradition in international peace mediation. The Nobel Peace Prize of President Martti Ahtisaari is a testimony of our commitment to that challenging task. At the same time, that highly appreciated Nobel Prize is recognition for the valuable efforts of the United Nations in peace mediation. We believe that the United Nations should strive to groom its internal capacity for mediation. The Secretary-General could create a concrete plan on how to prepare the next generation to follow the steps of previous eminent United Nations peace negotiators. Finland is also committed to engage in and support future mediation efforts of the United Nations.

The President (*spoke in Spanish*): I now give the floor to the representative of Uruguay.

Mr. Cancela (Uruguay) (*spoke in Spanish*): First of all, I would like to welcome the initiative of the Mexican presidency in bringing to the Security Council and to this open debate the issue of mediation and the procedures for the peaceful settlement of disputes. We recall that in September 2008, the Security Council, at the initiative of Burkina Faso and of representatives of the members of the Economic Community of West African States, also held a debate on the issue (see S/PV.5979), and in the presidential statement that summed up that debate (S/PRST/2008/36) requested the Secretary-General to submit a report on mediation and ways to enhance it. We take this opportunity to note with interest the report submitted by the Secretary-General in document S/2009/189.

The subject in question is very important. The peaceful settlement of disputes involves a range of instruments to achieve a rational and negotiated solution to situations that may threaten international peace and security. Using those means is vitally important owing to the preventive nature of these processes. If we recall the well-known observation that

the prevention of conflicts is less burdensome that imposing and keeping the peace, we can clearly understand the appropriateness of adopting those methods as widely as possible.

Mediation is a strongly developed mechanism in the area of preventive diplomacy. Preventive diplomacy itself requires great flexibility with regard to the various processes that can be involved in dispute settlement in the pre-conflict phase. In that connection, mediation and peaceful dispute settlement procedures involve not only the principal United Nations organs, in particular the Security Council, but also the full weight and mandated role of the General Assembly and the International Court of Justice, as defined in the Charter.

The history of mediation in the United Nations should be studied on the basis of actual practice. The aspects discussed by the Secretary-General in his report enable us to focus on the current scope of practice and to consider the proposals and recommendations that he intends to implement in 2009. Among these, we highlight the strengthening and professionalization of United Nations mediators; the importance of intervening as soon as possible; reflections and proposals on integrating mediation into field operations; gender policy, in particular within the framework of the Mediation Support Unit; and partnerships with regional and subregional organizations and other civil society actors in this endeavour.

In that connection, and with regard to the Secretary-General's proposals, Uruguay has the following understanding. In principle, we recognize the important work done by the Secretary-General and the Department of Political Affairs, which was strengthened by last year's reform and the progress made following the establishment and structuring of the Mediation Support Unit. We understand that, in the specific case of the Secretary-General's structural and administrative recommendations, they could be implemented by the General Assembly through the Fifth Committee.

While the report was submitted to the Security Council, it would have been useful for the Council, after having considered the document's implications and deciding what course this discussion would take, to pass on its content to the General Assembly, highlighting those aspects on which the Assembly could collaborate with the Council, in accordance with the provisions of Article 11 of the Charter. Another point of particular interest would be considering the report's implications and the subsequent debate on the implementation of mediation-related measures under Chapter VIII of the Charter and regional agreements, pursuant to Article 52 of the Charter.

We understand the importance of the reference to regional bodies and to the participation of other non-State actors in certain mediation processes. In that connection, we believe that similar attention should be accorded to all regions. For example, we can cite the specific case of the Organization of American States (OAS), which has the broadest experience in this area. The inter-American system was already developing concrete practices in the area of peaceful dispute settlement towards the end of the nineteenth century. Current instances of regional mediation have enabled us to settle potential conflicts in the region in a timely manner, while enabling the United Nations to devote its efforts to mediation in other regions. However, that does not mean that cooperation is not necessary in our region; rather, it should preserve the inter-American system in order to maintain the early-warning system in the region. The efforts of the OAS and other subregional arrangements will require increasingly sophisticated levels of cooperation with the United Nations.

Another aspect related to the concepts of peacekeeping and peacebuilding through preventive diplomacy is the need to promote national and local capacities in conflict prevention and resolution. Mediation, facilitation and dialogue, as fundamental components of the social fabric at the national or local level, make it possible to create an environment favourable to reconstruction and peacemaking in the event of possible conflict.

Among the other aspects that need to be strengthened, according to the Secretary-General, is gender policy (*S/2009/189, para. 62 (f)*). The report indicates that only seven women have been appointed mediators in the history of the Organization. When women are listed in the various mediator posts, there is also clearly a deficit in terms of equitable geographical distribution — a principle often violated in the bureaucratic history of the United Nations. We demand not only gender equity, but also geographic equity with regard to the appointment of mediators.

Finally, we must consider the financing of this important activity of the Organization, supporting the Secretary-General's proposals for a list of mediators that will allow us to take timely advantage of the experience accumulated in various regions and to maintain a competent and effective Mediation Support Unit in the Secretariat.

The Security Council, for its part, should attach the greatest importance to preventive activity, clearly supporting the Secretary-General's proposals and continuing to study, as a priority, the peaceful settlement of disputes as the best alternative for the maintenance of international peace and security.

The President (*spoke in Spanish*): I now call on the representative of the Republic of Korea.

Mr. Kim Bonghyun (Republic of Korea): I would like to thank you, Mr. President, for this opportunity to address the Security Council today on the important topic of mediation and settlement of disputes. I also express my appreciation to the Secretary-General and his team for their hard work and for the insightful report before us on enhancing mediation and its support activities (S/2009/189).

As we witness the increasing cost of dealing with the shattered remnants of peace, the value of timely and efficiently engaged mediation is being more and more widely recognized. Considering the increasing importance and value of mediation, it is imperative to sum up the lessons learned so far and to devise the most effective mediation tools for resolving disputes at an early stage. My delegation agrees with the Secretary-General that mediation has proved to be the most promising means for the peaceful settlement of disputes; however, the practice of mediation has received disappointingly little attention and support.

In that regard, today's open debate is most timely, taking the lead from the results of the high-level meeting of the Council last year (see S/PV.5979), and will help us to promote and support mediations and other means of the peaceful settlement of disputes more professionally and consistently. In contributing to that discussion, my delegation would like to highlight the following points.

First, although the United Nations does not have a monopoly on mediation, the Organization is in an ideal position to provide mediation in most cases. With 192 Member States, which have agreed to resolve disputes peacefully, the United Nations is the only global intergovernmental organization whose primary function is the maintenance of international peace and security. Thanks to the universality and the multilateral nature of the United Nations, the trustworthiness and impartiality of mediation are more readily and easily recognized by the parties concerned when mediation is practiced by the United Nations itself or by other organizations or individuals endorsed by it. More often, the Organization's endorsement of a mediator has also helped to bolster the tools and the capacity of the mediator. In that regard, the United Nations deserves the focused investment of strengthening and consolidating mediation capabilities.

Secondly, increasing mediation capacity needs to be focused on providing mediation at the earliest possible phases of conflict by the most capable and relevant mediators, aided by professional and sufficient support. In particular, the importance of engaging at the earliest possible stage needs no further emphasis. To achieve this, thorough databases of dedicated mediators should be created so that when a need for mediation arises, we will spend the least amount of time and energy locating mediators with the right set of attributes for the situation.

Thirdly, a basic platform of support that encompasses experts, finances and administrative services should be established for effective and responsive mediation. Considering the increasing professional and complex nature of mediation, systematic programmes should be devised to create future professional mediator corps. However, it was alarming to learn from the report that adequate and dedicated human and financial resources have not yet been secured in the United Nations. A comprehensive mediation education system is also yet to be realized.

Further efforts need to be made in those areas, and I believe that the Secretary-General has taken the right steps to remedy this issue by establishing the Mediation Support Unit in the Department of Political Affairs. The recently established mediation start-up funds will also be instrumental in providing necessary financial support to the mediation team. My delegation supports the Secretary-General in proactively seeking ways to mobilize adequate funding for mediation support and to establish a sufficient support platform for mediations that are responsive to the demands of fast-moving peace processes.

Fourthly, disputes should be considered within a regional or subregional context if mediation is to be successful. Therefore, close partnerships with established regional organizations are very important and a more strategic discussion should be held on ways to establish a clearer framework for effective decision-making and coordination with regional organizations. We also need to find ways to ensure that the proper regional and subregional context is incorporated into the mediation process when there is no relevant regional or subregional organization established.

Fifthly, good offices and mediation have been more effectively and successfully pursued and practiced when they have been backed up by unified and sustained support from the Security Council. As illustrated in the Secretary-General's report, the Security Council has many tools that it can wield to support and promote mediation and to call spoilers into the process of mediation. My delegation believes that the Security Council should continue to keep actively abreast of the overall progress of peacemaking efforts and stay unified in providing necessary support for mediation processes when needed.

Finally, my delegation is concerned about the low number of women in formal roles in the mediation process. The Security Council, in line with its resolutions 1325 (2000) and 1820 (2008), should encourage women's participation in all stages of peace processes and in all official and unofficial roles. We should remember that the low proportion of women in mediation processes represents not only a gender imbalance, but also the possible neglect of constructive resources for mediation and untapped talent pools.

My delegation values the cost-effectiveness of successful mediation and believes that the core aspect of successful mediation rests on helping concerned parties to build confidence, identifying the core interests of each party with a view to starting a successful negotiation, and envisaging the benefits of a peaceful settlement of the dispute. Re-emphasizing our view that the United Nations should be at the centre of promoting and supporting the mediation process with an adequate support platform, I would like to end my remarks by asking the Secretary-General and the Security Council to continue to promote mediation and to establish an adequate and sufficient support platform for mediation.

The President (*spoke in Spanish*): I give the floor to the representative of the Czech Republic.

Mr. Palouš (Czech Republic): I have the honour to speak on behalf of the European Union. The candidate countries Turkey, Croatia and the former Yugoslav Republic of Macedonia; the countries of the Stabilisation and Association Process and potential candidates Bosnia and Herzegovina and Montenegro; as well as Ukraine, the Republic of Moldova, Armenia and Georgia align themselves with this statement.

I would like to thank Under-Secretary-General Pascoe for presenting the valuable report of the Secretary-General (S/2009/189). Mediation is a critically important tool among the limited responses available to the international community for conflict management. It can be applied at all stages of the conflict cycle, from prevention and peacemaking to the implementation of peace agreements. When it works well, the world might not even notice that a potentially harmful conflict has been defused. When it fails, extinguishing the crisis requires much more effort and resources. That is why we must further improve the practice of international mediation and see to it that negotiated settlements to conflicts bring long-lasting stability with increasing frequency. The Secretary-General's report contains a large number of lessons learned and useful recommendations which must now be implemented in order to make mediation even more effective in the future.

The success of international mediation rests on partnership, cooperation and the mutual support of all actors concerned. The United Nations has been involved in mediation for over 60 years, and enhancing its capacities will further strengthen the collective impact of its mediation initiatives. The European Union supported the establishment of the United Nations Mediation Support Unit within the Department of Political Affairs and continues to contribute financially to its activities, through both the European Commission and individual European Union member States. We also support the proposed system-wide approach to mediation and the development of a standby team of regional and thematic experts.

One of the prerequisites for effective mediation initiatives is the availability of flexible financial and human resources. The Secretary-General's report points to the fact that mediation tends to be most effective when launched early, and the European Union

regards positively the recent establishment of a mediation start-up fund. In order to further enhance our cooperation in mediation, the European Union and the United Nations should develop a mechanism of sharing expertise and lessons learned, develop joint training opportunities and work together on the establishment of a roster of mediation experts.

The European Union supports the promotion of mediation as an efficient and cost-effective instrument of conflict prevention and resolution and is — as underlined in the Secretary-General's report — increasingly engaged in mediation efforts. The involvement of the European Union in mediation is twofold — direct and indirect. There are a number of actors within the European Union who, on occasion, play a role in international facilitation, mediation and dialogue processes. The European Union Presidency, High Representative Javier Solana and the European Union special representatives and members of the European Commission are among the most visible actors, but the heads of European Commission delegations and the heads of the European Security and Defence Policy mission are also frequently engaged in mediation activities.

The European Union is in the process of strengthening and professionalizing its mediation and mediation support capacity so as to use that tool more effectively. We appreciate the continuing cooperation with the Mediation Support Unit in that endeavour.

Like all other regional organizations, the European Union has its own interests, which may sometimes compromise our ability to serve as impartial mediators. The European Union has therefore developed a system of indirect support to third-party mediators, which also builds on the capacity and knowledge of non-governmental organizations. Specifically, the Instrument for Stability administered by the European Commission includes the Facility for urgent actions involving Policy Advice, Technical Assistance, Mediation and Reconciliation.

The African Union is also playing an increasingly important role in mediation, and the European Union is committed to assisting in further developing its capacities. Under the African Peace Facility, an Early Response Mechanism has recently been established to support the mediation efforts of the African Union and other African regional organizations.

Today's debate gives us the opportunity to reflect on what has been achieved through mediation and to identify the challenges of negotiated settlements. We should not consider mediation in isolation. Peace agreements have too often fallen apart, partly owing to the lack of a clear implementation plan. The United Nations and its partners need to build coherence across the conflict spectrum, including in the post-conflict peacebuilding phase, to improve the effectiveness of mediation, minimize the threat from spoilers and ensure that the agreements reached are sustained. As the report points out, it is important that transitional justice issues be adequately covered in the agreement and that the rule of law be re-established. Where serious crimes have been committed, the culture of impunity often leads to a cycle of violence that undermines sustainable peace.

Finally, the European Union appreciates the Secretary-General's commitment to improving gender expertise and balance at all levels. Women's absence from peace negotiations and the lack of gender expertise in mediation teams seriously limit the extent to which women's experiences of conflict and consequent needs for recovery are addressed in those processes. An analysis by the United Nations Development Fund for Women shows that, in 13 major comprehensive peace agreement processes since 2000, not one single woman was appointed as a mediator. These statistics need to change if future peace agreements are to be achievable, representative and likely to secure durable peace. Sustainable peace cannot be managed through the marginalization of such a large and vital constituency.

The President (*spoke in Spanish*): I now give the floor to the representative of Liechtenstein.

Mr. Wenaweser (Liechtenstein): We thank the Secretariat for producing a very good report (S/2009/189) on this topic, and we thank Burkina Faso for its leadership on this issue.

Given the purposes of this Organization, mediation should naturally play a central role in its activities. To an outside observer, it must therefore come as a surprise how little attention and limited resources have been invested in this area so far and that it is only now that we are talking about the need to professionalize these efforts. It appears that the inherent strengths of mediation are, ironically, a weakness in the context of intergovernmental

discussions. It is essentially preventive in nature, done in sometimes very discreet ways, potentially very cost-effective and ideally carried out at a time when a conflict may not be visible. Our neglect of mediation so far is thus an expression of our continued reluctance to invest in preventive diplomacy. While we have talked about the need for such diplomacy for many years now, we have yet to make the transition in practice.

We must consider one central statement in the report in this context: "Early mediation in a preventive context can, if successful, obviate the need for some peacekeeping missions" (*S/2009/189, para. 59*). At a time when peacekeeping costs continue to skyrocket and the relevant parts of the Secretariat are clearly overstretched, we hope that this will help make mediation indeed the core activity that it should have been in the first place.

The establishment of a Mediation Support Unit was an important step, made after of years of consultations, and is showing positive first results. We must carry this momentum forward on the basis of the recommendations contained in the report, which we support in their entirety. We welcome the presidential statement that we understand will be adopted later today, but more importantly, we hope that there will be concrete and early follow-up on the recommendations by all those whose contribution is needed — that is, this Council itself, the Secretariat and the General Assembly.

Allow me to make some brief remarks on three specific areas of the report.

First, we welcome the concise and thoughtful paragraphs on peace and justice, in particular the reaffirmation that there can be no United Nations-endorsed peace agreements that offer amnesty for the most serious crimes under international law. The relationship between peace and justice can be complex, and mediators can find themselves in the midst of relevant discussions. It must indeed be clear that mediators cannot negotiate justice issues if they are dealt with by independent judicial bodies — such as, in particular, the International Criminal Court — and that the situation under international law in this respect must be clear to all parties involved. Chief among the factors that keep conflict cycles alive are spoilers of mediation efforts, who benefit from war economies in particular and often operate in a climate of impunity. Negotiated settlements of disputes are particularly prone to relapse into violence, and addressing impunity for serious crimes is an essential element in preventing such violence and thus helps consolidate achievements reached through mediation.

Secondly, the selection process for special representatives and special envoys of the Secretary-General and the efforts to build operational support for these envoys must take into account the important role that women play in mediation and the settlement of disputes. This has been said many times in the past, including in the presidential statement adopted last year (S/PRST/2008/39), but the reality is of course different. As stated by the speaker preceding me, since 2000 not a single woman has been appointed as a mediator in negotiations of comprehensive peace agreements, and only one woman is currently serving as a special representative of the Secretary-General. What is important in the relevant part of the report is that the involvement of women is not a matter of political correctness, but a question of making mediation efforts more effective.

Thirdly, we must address the issue of resources. The very sensible measures mentioned in the report, such as training programmes and developing capacities for operational support, of course cost money. But more importantly, they are an investment that is likely to lead to a significant reduction of the overall costs for the Organization. We wish to state our view that mediation is a core activity of the United Nations and, as such, should in principle be funded from the regular budget. At the same time, we are aware, of course, that this will not be possible in the near future, and we will continue our financial support for the Mediation Support Unit. However, we hope that this area will attract particular attention in future discussions on the regular budget.

The President (*spoke in Spanish*): I now give the floor to the representative of Nigeria.

Mr. Onemola (Nigeria): The Nigerian delegation would like to commend the Mexican presidency of the Security Council for convening this important discussion to evaluate the report of the Secretary-General on enhancing mediation and its support activities (S/2009/189). We thank Under-Secretary-General for Political Affairs Lynn Pascoe for his incisive and comprehensive statement.

Mediation is a strategy widely accepted and extensively utilized by Member States, including Nigeria, for the pacific settlement of all forms of dispute. Chapter VI of the United Nations Charter has long recognized negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement or other peaceful means as valuable conflict-resolution techniques.

The efficiency of mediation was amply demonstrated in the peaceful resolution of the conflict over the Bakassi peninsula between Nigeria and its neighbour, Cameroon. Through intense mediation, the exercise of political will and commitment to the international judicial process, the nearly inflamed situation over the Bakassi region was resolved amicably.

In several other conflict situations in Africa, Asia and elsewhere, mediation has proven to be a useful, inexpensive and less risky peacemaking activity. Indeed, it remains a tool that needs to be actively utilized in all existing conflict situations, whether intra-State or inter-State.

Given the importance of international mediation, demonstrated by the frequency with which it has been used to settle all types of conflicts in different parts of the world, it is regrettable that it has not been given the requisite attention and support within the United Nations system. It is in this context that my delegation welcomes the report of the Secretary-General (S/2009/189), which aims at bringing mediation to the centre of the peacemaking activities of the United Nations. My delegation believes that the United Nations, and in particular the Security Council, has a crucial role to play in strengthening the Organization's mediation capacity. It is the expectation of my delegation that today's discussion will engender the outcome necessary to reinforce the mediation efforts of the United Nations.

International mediation should be viewed as a specialist endeavour, requiring skills and techniques such as persuasion and the ability to bargain and to exercise leverage. The United Nations must therefore guard against the appointment of international mediators solely on the basis of their political stature rather than on the basis of their competence as mediators. It is necessary that mediators be proficient, resilient, impartial, experienced and equipped to manage the complexities of deep-rooted conflicts. They must be familiar with a wide range of mediation strategies and tactics in order to effectively deal with the disputants.

The Mediation Support Unit should possess the capacity to function in pre-conflict, conflict and post-conflict situations. It is imperative that the Unit coordinate its activities with the United Nations early warning mechanism, and that it function in support of United Nations post-conflict recovery efforts, including those of the Peacebuilding Commission. United Nations mediators should seek to work closely with their counterparts in regional and subregional organizations.

Some of those organizations have developed advanced mediation and dispute settlement mechanisms that could support the efforts of the United Nations. The African Union Panel of the Wise, a key component of the African Peace and Security Architecture, and the Council of Elders of the Economic Community of West African States, have substantial experience in high-profile mediation. Similarly, the Southern African Development Community has also demonstrated an enviable capacity to mediate conflicts in Southern Africa. The United Nations mediation mechanism could also benefit from the capacities, goodwill and specialization of some regional peacemaking non-governmental organizations, including women's organizations.

To conclude, I wish to reiterate that the success rate of the United Nations mediatory role will depend upon how sensitive the Organization is to the socio-cultural milieu of every conflict. The United Nations must therefore take concrete measures to assure the parties to all conflicts of its neutrality and its receptiveness to local values.

The President (*spoke in Spanish*): I now give the floor to the representative of Cuba.

Mrs. Núñez Mordoche (Cuba) (*spoke in Spanish*): I have the honour to participate in this debate on behalf of the 118 members of the Non-Aligned Movement (NAM).

The Movement reaffirms that the United Nations, its Charter and international law remain indispensable tools and central elements in the preservation and maintenance of international peace and security. NAM supports the strengthening, within the framework of the Charter, of the capacity and efficiency of the

United Nations in its efforts to prevent, control and peacefully resolve conflicts and disputes. Improving the capacity of the United Nations to prevent and settle disputes is more effective than having to deal with the costly aftermath of wars and armed conflicts. The pacific settlement of disputes is key to the Organization's Charter obligation to maintain international peace and security.

In acknowledging the relationship between economic and social development and peace and security, NAM considers important to ensure that any effort to transform the United Nations into a more effective instrument for preventing conflict should take into account the need for a balanced, coherent and comprehensive approach, in accordance with the Charter and international law, in order to enhance conflict prevention and resolution and post-conflict peacebuilding strategies with the aim of achieving sustained economic growth and sustainable development.

In this context, it is critical that all of the principal organs of the United Nations play an active role in evolving and implementing a more effective collective security system, in accordance with their respective functions and powers, without upsetting the balance as established by the Charter.

The Non-Aligned Movement regrets that in recent years the Security Council has been too quick to threaten or authorize enforcement action in some cases while being silent and inactive in others. Furthermore, the Council has increasingly resorted to Chapter VII of the Charter as an umbrella for addressing issues that do not necessarily pose an immediate threat to international peace and security.

A careful review of these trends indicates that the Council could have opted for alternative measures to respond more appropriately to particular cases. Instead of excessive and hasty use of Chapter VII, efforts should be made to fully utilize the provisions of Chapters VI and VIII for the pacific settlement of disputes.

In accordance with Chapter VI, Article 33, the Security Council should call upon the parties to any dispute, when it deems necessary, to settle their dispute by means such as negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.

The Non-Aligned Movement stresses that Chapter VII should be invoked, as intended, as a measure of last resort. Unfortunately, in some cases provisions of Articles 41 and 42 have been too quickly resorted to, while the other options, including mediation, had not been fully exhausted.

Sanctions imposed by the Security Council remain an issue of serious concern to the non-aligned countries. In accordance with the United Nations Charter, the imposition of sanctions should be considered only after all means of peaceful settlement of disputes under Chapter VI of the Charter have been exhausted and a thorough consideration undertaken of the short-term and long-term effects of such sanctions.

Historically, the Non-Aligned Movement has given much to the process of pacific settlement of disputes, and has yet more to offer. To the search for solutions to disputes and conflicts, the Movement brings its long-standing commitment to the peaceful settlement of disputes, as well as its partnerships with the United Nations and regional organizations.

The Movement reaffirms its principled positions concerning peaceful settlement of disputes, which include, among others, the following:

First, it is incumbent upon all States to defend, preserve and promote the purposes and principles of the United Nations Charter and the principles of international law, including the pacific settlement of disputes and the non-use or threat of use of force.

Secondly, all States shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations. Resort to Chapter VII of the Charter as an umbrella for addressing issues that do not pose a threat to international peace and security must be avoided. In that regard, the Security Council should fully utilize the relevant Charter provisions, where appropriate, including those of Chapters VI and VIII.

Thirdly, all States should promote the principle of the non-use of force and the peaceful settlement of disputes, rather than the threat of force or use of force, as a means of achieving collective security, bearing in mind "that armed force shall not be used, save in the common interest", as stipulated in the Charter.

Allow me to conclude by reaffirming the Non-Aligned Movement's strong commitment to defending the principles of the United Nations Charter and international law, as well as the means envisaged in the Charter for the pacific settlement of disputes and non-resort to the threat or use of force.

The President (*spoke in Spanish*): I call on the representative of Norway.

Mrs. Juul (Norway): Let me start by thanking the Secretary-General and his staff for their report (S/2009/189), and Mexico for convening today's meeting. I would also like to thank the President of Burkina Faso, who initiated the process by calling for a high-level meeting on mediation and the settlement of disputes last year — a timely reminder of the importance of this subject.

The very first paragraph of the United Nations Charter states that a key purpose of the Organization is to "take effective collective measures for the prevention and removal of threats to the peace". Mediation is a key instrument in this process, and consequently must rank among the core activities of the United Nations. The old adage that "an ounce of prevention is worth a pound of cure" holds true in international relations as well, and the United Nations is more often than not what the world looks to for the ounce of prevention, in the form of mediation and conflict prevention.

It is no coincidence that two Secretaries-General — Kofi Annan and Dag Hammarskjöld — the United Nations Children's Fund, the Office of the United Nations High Commissioner for Refugees and the United Nations itself have received the Nobel Peace Prize, all of them honoured for their work in pursuit of peace. We must never forget that preventing conflict was the main reason for establishing the United Nations, and we must make sure that the Organization is well equipped and ready to take on this responsibility whenever crises threaten to erupt.

We have to admit that this is not always the case today. Time and time again, we see the United Nations being forced to pass the hat among Member States to ask for voluntary contributions in order to do the job mandated in the Charter. It is our collective responsibility to ensure that the size of the Organization's regular budget matches the size of the job we are asking it to do, and it is the United Nations responsibility to be proactive and put this budget to good use in trouble spots around the world.

Mediators grapple with widely varying situations, yet some aspects — dialogue and access, early engagement and a flexible and coherent approach — are crucial to all international mediation efforts. The mediator must talk to and have access to all parties involved. He or she must be impartial to the parties themselves, but not to the actions of the parties. The mediator must be brought into the process as early as possible. A non-threatening, quiet diplomatic channel has the advantage of eliminating many of the political risks carried by a more public process. It also makes it more difficult for spoilers to undermine the work. The mediator's approach must be flexible, bringing all relevant actors, such as the United Nations, regional organizations, civil society and individual States together, complementing each other's efforts.

The challenge is to make everybody coordinate their efforts. Last year in Kenya, we saw that the Security Council, the African Union, a former Secretary-General of the United Nations and other international actors, together with the Mediation Support Unit (MSU) and other parts of the Secretariat, were able to reach a successful outcome during the challenging post-election period. This is exactly what we want and what we would like future mediators to learn from.

Like many others before me, I would like to draw our collective attention to the fact that today, almost 10 years after resolution 1325 (2000) strongly urged the United Nations and Member States to take action to bring more women into peace processes, very little progress has been made. Among the peace negotiators deployed by the United Nations, the African Union, the European Union and Member States over the past decade, women have been few and far between. We know that women bring different issues to the table, and that they contribute to a more durable and inclusive peace. We know that we only recruit from 50 per cent of the talent pool as long as we do not include women in sufficient numbers. And we know that half of the population can feel excluded from the process and less committed to the outcome when they have not been part of the decision-making. We commend the work that has been done on trying to recruit more women as mediators, but call for renewed and strengthened efforts from the United Nations and Member States to translate the words of resolution

1325 (2000) into concrete action — action that will bring women into the highest levels of mediation.

In closing, I would like to welcome the improvement of the United Nations mediation apparatus, particularly the Mediation Support Unit. Last year's strengthening of the Department of Political Affairs meant that an increased number of mediation posts were covered by the regular budget, a development we strongly support. As stated earlier, mediation is a core activity of the United Nations and must also be at the core of the regular budget.

Norway will continue to support the MSU financially, in particular the standby team of experts. We encourage the entire United Nations system to take advantage of the unique expertise this team offers. The first team will complete its work in June this year, and we look forward to learning more about its experiences.

The President (*spoke in Spanish*): I call on the representative of Qatar.

Mr. Al-Nasser (Qatar) (*spoke in Arabic*): We congratulate you, Sir, on assuming the presidency of the Security Council this month, and thank you for holding this open meeting and giving us the opportunity to make our own contribution to the debate on this important subject. I associate myself with the statement made by the representative of Cuba on behalf of the Non-Aligned Movement.

We are glad that you have chosen the issue of mediation for the thematic debate of the Council during your presidency, and we also welcomed the thematic debate held by the Council last September under the presidency of the President of Burkina Faso to consider this important subject. We were similarly satisfied to witness the consensus expressed at that time by members of the Council on the importance of supporting and encouraging mediation efforts at the international and regional levels. That consensus was expressed explicitly through the adoption of presidential statement S/PRST/2008/36.

Mediation is at the heart of the work of the Security Council and the mandate conferred on it by the Charter of the United Nations for the maintenance of international peace and security. When we talk about the mandate of the Council, we must consider the purposes of the Charter, which emphasizes early and peaceful solutions of conflicts, especially in Chapter VI. Although the Council also has a mandate under Chapter VII, the latter must be used only as a last resort when need arises. Therefore it is a cause of concern to see that in recent years Council resolutions have been frequently adopted under Chapter VII. In addition, the deployment of peacekeeping forces and other measures of the use of force result in a much greater financial burden than the cost of diplomatic mediation. Hence the relevance of the saying "prevention is better than cure".

Consequently, diplomatic mediation remains the most effective way to reach the desired peaceful settlement, as experience has shown in many cases. The Security Council must therefore encourage all forms of mediation that contribute to the peaceful resolution of disputes. We also encourage the Council to continue to attach premium importance to the issue of mediation and its promotion, including by considering the possibility of establishing a subsidiary body entrusted with the task of seeking ways of enhancing mediation by third parties and other means of peaceful settlement of disputes and disagreements.

If we carefully examine the factors of success of dispute resolution through diplomatic mediation, we can conclude that that success is predicated upon a number of elements.

The mediator must be fair-minded, truthful, impartial and without vested interest in the continuation of the conflict or in a specific outcome to it. The best example of the importance of impartiality in mediation is the persistence of the crisis in the Middle East for over six decades. In the same vein, the intermediary has to be fully aware of the underlying root causes and origins of the conflict. He also needs to have a thorough understanding of the characteristics of each case and each region and take them into account, particularly conventions, norms and agreements that exist between the parties to the conflict. The mediator must have the open-mindedness that allows him to understand and respect the cultures, sacred symbols and the views of the parties to the conflict. Last but not least, the mediator must, by having these qualities, gain the trust of the parties to the dispute.

Other factors play a role in the success of mediation. Indeed, it is of critical importance that all influential stakeholders, or those that are likely to influence the durability of the settlement reached, take part in the negotiations. It is also important to

strengthen and consolidate the genuine desire of the participants in the dialogue process to reach a genuine settlement. We must work to mobilize the necessary momentum in order to support and implement mediation-driven agreements, to achieve consensus and, in some cases, to secure reconstruction processes. There is also a need to keep the efforts of mediation processes from being sabotaged by some stakeholders.

The efforts for reconciliation and accord between conflicting parties will be doomed to failure in the long term if we do not work towards spreading a culture of peace, renunciation of violence, acceptance of others and peaceful expression of disagreement among the parties to the conflict and their popular bases.

Based on the views and proposals that I have mentioned, we believe that the recommendations of the Secretary-General contained in his report to the Council on this matter are worthy of consideration. The establishment of the Mediation Support Unit of the Department of Political Affairs, which provides the necessary expertise to support mediation efforts of the United Nations and of the regional and subregional organizations, constitutes a step forward. We should continue to develop the activities of that Unit and its involvement with Member States under the principle of respect of sovereignty.

There is no doubt that the endeavours and good offices efforts exerted by the Secretary-General, either directly or through his representatives and special envoys and United Nations mediators, aiming at the resolution of conflicts in many regions of the world, are commendable and worthy of assistance and support. Therefore, the State of Qatar annually supports the Trust Fund to Support Special Missions and Other Activities Related to Preventive Diplomacy and Peacemaking, in the belief that the diplomatic efforts of the Secretary-General and the United Nations are important.

The United Nations must also support regional and subregional arrangements with a view to reaching peaceful settlement of disputes, taking into account the specificities of each region due to its circumstances, which the regional arrangements understand best. In particular, support from regional arrangements in resolving regional conflicts is embedded in the Chapter VIII of the Charter of the United Nations. The Security Council has recognized this on several occasions recently when discussing cooperation with regional and subregional organizations. We recall that the Council, in its presidential statement S/PRST/2008/36, was intent on enhancing the support provided by the United Nations to regional and subregional mediation efforts through the enhancement of cooperation. We welcome that move and call upon the Council to fulfil that pledge.

Finally, allow me to move from theory to present a part of the practical experience of the State of Qatar in diplomatic mediation, since it includes some shining examples of what mediation can achieve in bringing the parties to a dispute to the negotiating table so they can reach agreements to end their differences, or in putting them on the track of settlement if that mediation is fair, honest and impartial.

We highlight in this regard the efforts of His Highness Sheikh Hamad bin Khalifa Al-Thani, Emir of the State of Qatar, in May of last year to bring Lebanese parties to the dialogue table in Doha, and the success of these mediation efforts in reaching the Doha agreement, which was supported by the Security Council in a presidential statement (S/PRST/2008/17). That national reconciliation opened the door for the election of a president of Lebanon, ending the state of instability. We would like to highlight in this regard that the Qatari mediation efforts in Lebanon were in accordance with the decision of the Council of the League of Arab States that established an Arab ministerial committee to mediate an end to the political crisis in Lebanon, which demonstrates the importance of the role played by regional organizations in the field of mediation, as I mentioned earlier in my statement.

Last February, another agreement was reached in Doha as a result of mediation efforts by the Government of the State of Qatar, i.e. the Accord of Good Intentions and Confidence-building, signed in Doha by the Government of National Unity of the Sudan and their brothers, the Justice and Equality Movement of Darfur. My country still endeavours to complete this effort, with the participation of Mr. Jibril Bassolé, Joint Mediator of the United Nations and the African Union. This also demonstrates what I mentioned about the usefulness of cooperation between the United Nations and relevant regional organizations.

The State of Qatar also made contacts to resolve the differences between some Arab countries and the West, and some internal Arab differences. I cannot go into details here, but those efforts are within the scope

of the maintenance of international peace and security through mediation to settle disputes.

The President (*spoke in Spanish*): I give the floor next to the representative of Senegal.

Mr. Badji (Senegal) (*spoke in French*): I should like first to congratulate you warmly, Mr. President, for having organized this public Security Council debate on the maintenance of international peace and security: mediation and settlement of disputes.

I should also like, on behalf of my country, Senegal, to say how much we admire and are grateful to the sisterly delegation of Burkina Faso, which, having taken the happy initiative of holding a high-level debate on mediation and dispute settlement, has done everything to see to it that the consideration of this important question, which is central to the current concerns of the international community, is given all of the necessary attention.

The interest of all Member States in this question should be measured against the complexity of current conflict situations, including inter- and intra-State conflicts, which involve massive loss of human life and the interruption of the social, political and economic lives of a large number of countries.

Synergy and close interaction between the United Nations — which has the primary responsibility for the maintenance of international peace and security — and its partners, in particular the regional organizations, which are a complementary instrument to United Nations action, are necessary to prevent these human tragedies. As has been shown by the positive experiences we have seen throughout the world as a result of the United Nations providing good offices, mediators and special envoys of the Secretary-General that have defused many crises, the effectiveness and the benefits of mediation are clear for all to see.

Other achievements by regional organizations, subregional organizations, civil society or simply by people of good will also reinforce this conviction.

Clearly, many atrocities could have been avoided and thousands of human lives saved had mediation mechanisms been mobilized in many conflict situations throughout the world.

The United Nations, which was created, inter alia, to save present and succeeding generations from the scourge of war and whose Charter makes pacific settlement of disputes one of its main purposes, must therefore make mediation central to its action, to make it, if not the most important instrument for dispute settlement, an important tool for that end.

Recent steps to strengthen United Nations mediation capacities, including the creation of the Mediation Support Unit of the Department of Political Affairs and its technical teams, are certainly encouraging, but efforts are still needed if mediation is to play its proper role. To achieve that, the challenge must be met of providing significant financial resources and experienced, highly qualified human resources.

Another challenge that should be met is that of having women participate in mediation activities. Women, who with children are the people most affected by conflicts, have an important role to play in conflict prevention and settlement. My delegation therefore supports the initiative to involve them more in mediation activities and very much supports the recommendation contained in resolution 1325 (2000), which urges the Secretary-General to appoint more women representatives and special envoys to good offices missions.

The report of the Secretary-General in document S/2009/189, which we welcome, stresses the important role of mediation organizations, particularly in a framework of close cooperation with the United Nations. In this respect, Chapter VIII of the Charter of the United Nations clearly outlines the modalities for cooperation between the Security Council and the regional organizations. We welcome the recognition in this report of the fact that the partnership between the African Union and the United Nations, which goes back to the creation of the Organization of African Unity, is one of the most dynamic in the area of peacekeeping.

As the Secretary-General recalled in paragraph 44 of his report dated 7 April 2008, published as document S/2008/186** — which deals with the relationship between the United Nations and regional organizations, in particular the African Union, in the maintenance of international peace and security — "Most regional organizations are undertaking conflict prevention activities". The African Union does not lag behind here because its system for peace management extends from preventive diplomacy to peacebuilding, and includes peacekeeping.

However, the regional organizations, in particular the African Union, must acquire the means to be more attentive to the early signs of tension that could lead to conflict and take the necessary steps, in close cooperation with the United Nations, in particular the Security Council.

By setting up the Group of Wise Men, the African Union understood and recognized that conflicts, be they laten or overt, can be resolved only by political means, that is to say, through negotiation. That is why the Group of Wise Men of the African Union should be given the greatest possible support, which would enable it to provide well-considered advice to the Chairmen of the African Union and if the AU Commission, which could, on that basis, engage in intensive preventive diplomacy activities, in particular mediation and good offices. After all, an ounce of prevention is better than a pound of cure.

However, for proper prevention, we must remember — as was recalled by the Secretary-General in his report in document S/2008/18, dated 14 January 2008 — that prevention is a multidimensional task involving political decisions, humanitarian activities and development activities, which require that organizations work in close cooperation with the United Nations, in particular the Security Council, the Human Rights Council and the Economic and Social Council and its specialized agencies.

Cooperation between the Economic and Social Council, the Security Council and the regional organizations is particularly necessary since growing attention should likewise be given to peacebuilding strategies and reconciliation. The African Union has already taken the lead when it adopted, at the seventh regular session of the Assembly of Heads of State and Government in July 2006, the strategic framework for post-conflict rebuilding and development.

Finally, mediation is a valuable tool in a world buffeted by manifold complex crises.

Combining mediation with peacebuilding, the United Nations could not only prevent conflicts from escalating, but also ensure that those that are being resolved are extinguished once and for all. Those combined actions would at last reduce the financial and human costs of peacekeeping and peacemaking operations.

The President (*spoke in Spanish*): I now give the floor to the representative of Kenya.

Mr. Muita (Kenya): At the outset, Sir, let me express my appreciation to you and the entire delegation of Mexico for organizing and presiding over this important debate. I also wish to thank Mr. Lynn Pascoe, Under-Secretary-General for Political Affairs, for his statement. My delegation fully associates itself with the statement made by the representative of Cuba on behalf of the Non-Aligned Movement.

Kenya welcomes the report of the Secretary-General, contained in document S/2009/189. The Secretary-General's report highlights the enormous challenges that we collectively face in providing professional mediation assistance to parties in conflict. It also offers very useful recommendations on strengthening the role of mediation as a cost-effective method of resolving disputes. My delegation fully supports his recommendations.

The special focus of today's debate on enhancing mediation and the settlement of disputes is timely. We recognize that the cost of such conflicts, in both human and resource terms, has been huge and negative. In addition, the absence of peace and security inhibits development and creates an enormous financial burden. Nevertheless, my delegation is encouraged by this debate because it underscores the fact that mediation is now receiving increased attention as an integral part of the global conflict resolution process.

There is no denying that, over the years, the United Nations has increasingly played an important role in mediating inter- and intra-State conflicts. However, we acknowledge that this increased role has not been matched with the necessary resources to build local, national and regional capacities. It is my hope that more resources will be allocated to ensure timely responses when problems are less complicated and the parties involved fewer. In that way, the chances of success would be increased tremendously. We hope that the reinforcement of the Department of Political Affairs, particularly through the creation of the Mediation Support Unit, will provide the opportunity to explore that area further.

Kenya's other area of concern is the role of women in mediation. We recognize that women's contribution to society is crucial and yet, more often than not, they have little or no say in the resolution of conflicts that severely and negatively impact on them.

It is therefore crucial that we address the structural and institutional impediments to women's equal and full involvement in the mediation process. My delegation would therefore like to see more women appointed to senior positions, both at United Nations headquarters and in field missions. We believe that this will contribute to spurring the efforts to integrate women's issues into the mainstream of agenda-setting and decision-making at all levels in the peace process. The implementation of resolutions 1325 (2000) and 1820 (2008) will contribute greatly towards achieving that objective.

At the regional level, Kenya has actively participated in the mediation of conflicts and the search for the peaceful settlement of various disputes, particularly in the Horn of Africa, through the various peace initiatives of the Intergovernmental Authority on Development, as well as in the Great Lakes region, in collaboration with the United Nations and other development partners. The holistic approach adopted under the International Conference on the Great Lakes Region, in which problems are addressed in a broader and coordinated manner, is a unique example that may benefit other regions.

In conclusion, it is the considered view of my delegation that, as the very successful mediation efforts in my own country last year would tend to indicate, the international community should not wait for a painful stalemate to develop before offering mediation. Otherwise, we may lose the opportunity to resolve the conflict at an early stage. The United Nations peacekeeping budget is enormous, and there is no doubt that it would be greatly reduced if more resources were expended in pre-emptive mediation and the settlement of disputes mechanisms.

The President (*spoke in Spanish*): I now give the floor to the representative of Pakistan.

Mr. Haroon (Pakistan): May I congratulate you, Sir, on assuming the presidency of the Security Council. The Pakistan delegation welcomes the holding of this open debate. I am sure that, under your able guidance, this discussion will be productive and will contribute to our collective efforts to enhance the effectiveness of the United Nations in one of its central objectives — conflict prevention and the pacific settlement of disputes.

Through the framework and vast spectrum of modalities envisaged in Chapter VI and other provisions of the Charter, the United Nations organs, acting in balance and harmony, can play an important role in preventing disputes from arising between parties, in preventing existing disputes from escalating into conflicts, and in containing and resolving conflicts when they occur. The Security Council, in particular, has to make a wider and effective use of the procedures and means for the pacific settlement of disputes, particularly Articles 33 to 38 of the Charter. Indeed, it is that aspect of our work at the United Nations that transforms into action the commitment that we the people made in the Preamble of the Charter to save succeeding generations from the scourge of war. In the maintenance of international peace and security, that is what operationalizes the purposes and principles of the United Nations, beginning with Article 1 of the Charter, which, as a matter of fact, encapsulates well our deliberations today.

Over the years, Pakistan has followed with great interest and attachment the discussions in the United Nations and the Security Council on the topic of the pacific settlement of disputes. Under its presidency of the Security Council in May 2003, Pakistan organized a debate on the role of the Security Council in the pacific settlement of disputes. In the presidential statement dated 13 May 2003 (S/PRST/2003/5), adopted in that debate, the Security Council, inter alia, underscored that the efforts to strengthen the process of the peaceful settlement of disputes should be continued and made more effective. The special focus on mediation, under the presidency of Burkina Faso last September and with the adoption of S/PRST/2008/36, was an important sequel to the consideration by the Council of the pacific settlement of disputes agenda.

Let me thank the Secretary-General for his report (S/2009/189), which has merits and deserves serious consideration. The United Nations has had some notable successes in the areas of pacific settlement and mediation, including with the support of regional organizations and other partners, particularly in Africa. The emphasis placed in the Secretary-General's report on early engagement and on processes addressing the root causes of conflicts is, in our view, one of the key lessons learned from past engagements. It should be accorded due priority in ongoing and future work, strengthening and making full use of the comparative advantages of regional, national and local capacities, for mediation, conflict prevention, reconciliation and dialogue are essential parts of the wider effort. In our

own region, the jirgas, panchayats and other traditional mechanisms are considered useful and time-tested tools for mediation, conciliation and arbitration at the local level.

As pointed out in the report, the need for professional mediation assistance is evident. One cannot agree more on the imperative of system-wide capacity-building, leadership and specialization in that field. Maintaining a pool of mediation experts and facilitating their deployment, when required, are recommendations of a practical nature. The establishment of the Mediation Support Unit and the standby team of experts is a welcome step. The requirement of further resources for Secretariat capacity may also be considered.

While many of the recommendations in the report of the Secretary-General are focused on capacity-building and resources, important as they may be, I would like to underline that the effectiveness of mediation and other means of pacific settlement are more a function of factors that are largely political in nature. We may not be able to put the enhanced capacity to any use if, for example, we are not able to generate the necessary political will among the general membership, the members of the Security Council and, in particular, the parties to disputes to accept mediation or other means of pacific settlement and then demonstrate the commitment in good faith to following through with their obligations.

A few of the long-standing situations on the agenda of the Security Council need to be mentioned here. One is Palestine and the other Jammu and Kashmir, which are in ways the victims of such circumstances. It is manifest that those disputes are such that their continuance endangers the maintenance of international peace, security and harmony.

On Palestine, the Security Council has been unable to implement its own resolutions, which has been a severe blow to its credibility. As the Council considered this question yesterday, it was evident that a renewed, serious and concerted effort was required to put the peace process back on track and to rebuild the confidence shattered by the recurrent resort to the use of force.

Closer to home, the Council need not be reminded that one of the earliest applications of Chapter VI of the Charter was in the Jammu and Kashmir dispute between India and Pakistan after it had been referred to the Security Council. Several Security Council resolutions, accepted by both India and Pakistan, provided that the final disposition of the state of Jammu and Kashmir would be made in accordance with the will of the people, expressed through the democratic method of a free and impartial plebiscite conducted under the auspices of the United Nations. The Security Council also instituted several mechanisms, including the United Nations Commission for India and Pakistan, the deployment of the United Nations Military Observer Group in India and Pakistan, and the appointment of United Nations representatives who consulted the parties and submitted reports on how to resolve the dispute in accordance with the provisions of the Security Council resolutions. Those resolutions remain unimplemented to date, and hopes pinned on bilateral dialogue have not been fulfilled. However, Pakistan remains steadfast in seeking a just and peaceful solution to the core issue of Jammu and Kashmir in accordance with the relevant United Nations resolutions.

We hope that India will agree to the resumption of the comprehensive dialogue process between our two countries. We hope that the international community, particularly the Security Council and the Secretary-General, will support this objective of durable peace and progress in our region. In order to have a holistic view, the Security Council should review the extent to which provisions of Chapter VI have been utilized and implemented. Needless to say, we cannot fully succeed in our efforts to strengthen the conflict prevention and pacific settlement dimensions if the Security Council is not able to preserve and reinforce the central obligation of Member States under the Charter to refrain from the threat of the use of force.

Without repetition, I would like to endorse the position of the Non-Aligned Movement, especially with respect to the use of force, sanctions and enforcement measures. Furthermore, the injudicious use of Chapter VII creates the wrong impression that non-Chapter VII resolutions are somehow not equally binding. That, in our view, has damaged efforts for pacific settlement under Chapter VI. Experience has shown that Chapter VII measures are not always ideal and may further worsen and complicate disputes. On the other hand, Chapter VI measures seek to resolve disputes in a manner that is harmonious and cost-effective. That builds confidence and fosters respect

for the sovereignty of Member States, leading to long-term and sustainable solutions.

Member States therefore need to invest more in mechanisms for pacific settlement, promoting and preserving peace, based at all times on the principles of justice and international law.

The President (*spoke in Spanish*): I now call on the representative of Indonesia.

Mr. Natalegawa (Indonesia): At the outset, I wish to commend you, Mr. President, for organizing today's important debate. I am sure that this meeting, under your able guidance, will be fruitful. This important subject continues to deserve our serious attention.

Mediation is built upon a culture of dialogue, an essential ingredient in growing the culture of peace. It is anchored in emphatic listening and mutual communication, rather than in deafening silence and lingering prejudice. It is also inclusive, incorporating the views of all parties for a comprehensive approach to a conflict.

In reality, hostile parties often have a hard time talking to each other, let alone making peace. Therefore, the call for a mediator can undoubtedly become urgent. The confidence placed by the disputants in the mediator is of primary importance, and thus the selection of an appropriate mediator is crucial.

A successful mediation often begins in the absence of ceremonial episodes and formal procedure. Informality is often key to the building of confidence among parties and promotes a more candid approach. This can yield the most suitable solution possible, given the reality of the constraints experienced by the parties. The core process of mediation often needs to be away from the spotlight of the media. In short, time, trust and knowledge, as well as adequate logistical backup, are critical if a mediator is to be successful.

The United Nations has been one of the largest generators of mediation initiatives. We commend the actions undertaken by the Secretary-General in establishing a Mediation Support Unit within a short period of time and with strong support from Member States. The Unit has become a practical tool for supporting the good offices and mediation efforts of the United Nations and regional organizations.

Thus, Indonesia welcomes the recommendation that the Organization and Member States build local, national and regional capacity for mediation. That is why we attach great importance to a more strategic discussion on the establishment of a clearer framework within which the Secretary-General can assist them.

Regional organizations can play a meaningful and effective role in mediation. It is paramount, then, that the United Nations and regional organizations team up in mediation efforts. While the United Nations has the requisite resources and experience, a regional organization carries with it local content and has an equal chance for success in mediation. The African Union, the Organization of American States and the European Union, to name just a few, are notable mediators.

In South-East Asia, Indonesia, for its part, has worked together with the rest of the Association of Southeast Asian Nations (ASEAN) family to establish a Charter that will serve as the legal and institutional framework for ASEAN. In the Charter, ASEAN sets out the fundamental principle of reliance on the peaceful settlement of disputes. ASEAN member States will endeavour to peacefully resolve all disputes in a timely manner through dialogue, consultation and negotiation. At the same time, the ASEAN Charter also provides that ASEAN member States that are parties to a dispute may at any time agree to resort to good offices, conciliation or mediation. It clearly stresses the importance of mediation as one of the preferable modes of peaceful dispute settlement.

Indonesia is not only committed to mediation, but is also a passionate advocate of mediation, for we too have reaped the benefits of successful mediation in resolving conflict situations within our own borders. Others in our region and beyond have shown interest in drawing upon those experiences.

As a final point, I should like to say that our experiences have taught us one important lesson: mediation does work. Mediation support efforts should be responsive to the demands of fast-moving peace processes. Therefore, our need for that peaceful means will remain in the future. Indonesia welcomes efforts to further explore ways and means to reinforce the Council's contributions to the promotion of mediation as an important and cost-effective means of dispute settlement.

The President (*spoke in Spanish*): I now call on the representative of Azerbaijan.

Mr. Mehdiyev (Azerbaijan). At the outset, I would like to thank you, Mr. President, for convening this meeting and the Secretary-General for his report on enhancing mediation and its support activities (S/2009/189), which makes a useful contribution to addressing the challenges faced in providing mediation assistance.

A number of mediation efforts have been successfully undertaken. They have helped to reduce tensions and ensured that peace processes moved forward. Both the United Nations and regional organizations and arrangements play an important role in helping to mediate conflicts.

At the same time, despite the relevant binding provisions set forth in the United Nations Charter, we continue to face inconsistent behaviour that undermines the basic elements of the international legal order, threatens the integrity and stability of States and leads to grave violations of human rights and international humanitarian law.

The ongoing armed conflict between Armenia and Azerbaijan has resulted in the occupation of almost one fifth of the territory of Azerbaijan and has made approximately one out of every eight persons in the country an internally displaced person or refugee. Although the mediation efforts that have already been carried out for quite a long period of time within the framework of the Organization for Security and Cooperation in Europe have not always been consistent and have yet to yield results, Azerbaijan continues to be committed to resolving the conflict by political means and in a constructive manner. The conflict can be solved only on the basis of respect for the sovereignty, territorial integrity and inviolability of the internationally recognized borders of Azerbaijan.

In order to ensure the success of the settlement process and mediation efforts, the factor of military occupation must be removed from the conflict settlement context and Armenia must completely withdraw from all occupied territories of Azerbaijan. Delaying the return of the territories could complicate the already difficult settlement process. Following the liberation of the occupied territories, internally displaced persons should return in safety and dignity to their places of origin in the Nagorny Karabakh region of Azerbaijan and adjacent districts. Upon the release of the territories of Azerbaijan from occupation, the rehabilitation and economic development of the region shall take place and all communication technologies there shall be made available for mutual use.

The aforementioned understanding, reflected also in General Assembly resolution 62/243 of 14 March 2008, is an expression of the constructive compromise that Azerbaijan is ready to make within the framework of international law and with a view to achieving lasting peace, stability and cooperation. It is obvious at the same time that the success of the settlement process will depend on a constructive approach on the part of both sides, as well as on the active contribution of the international community and mediators.

However, it is very difficult to hope for a substantial breakthrough on the basis of the position that Armenia persists in holding. It is more than clear that Armenia is seeking to achieve a transfer of sovereignty over Azerbaijani territories that it seized through military force and in which it carried out ethnic cleansing. It is precisely for the purpose of annexation that Armenia wants to retain control over Nagorny Karabakh and some other occupied districts of Azerbaijan, prevent the displaced Azerbaijani population from returning to their homes and thus exclude equal consideration of the opinions of both communities.

Armenia openly disregards the relevant resolutions of the Security Council and General Assembly, refuses to recognize the territorial integrity of Azerbaijan, is building up its military presence in the occupied territories of Azerbaijan, and is thus clearly demonstrating its annexationist intentions. The approach of Armenia is unconstructive and unrealistic; it cannot serve as a sound basis for resolving the conflict and has led to the further prolongation of the settlement process.

While committed to the peaceful settlement of the conflict, Azerbaijan will never compromise its territorial integrity.

Mediation is a diverse and complex process that is influenced by the specific conditions brought by the parties involved into the conflict management system. Success depends on a number of critical factors, among them the need to ensure that the behavioural parameters of mediators are based on the normative standards set by the Charter of the United Nations and international law and on the objective of the

comprehensive settlement of conflicts. Therefore, the resolution of outstanding conflicts requires the joint and committed efforts of the international community as a whole. An ambiguous approach inevitably serves to generate mutual suspicion and mistrust and to reinforce perceptions of the centrality of military strength; as a result, it contributes to further escalation and destabilization, with unpredictable consequences.

There can be no justification for attempts to make participation in peace processes conditional on demands for immunity from responsibility. In that sense, the Security Council has an important role to play in all stages of the conflict. It should be better understood that acting in contravention of international law, undermining the sovereignty and territorial integrity of States and ignoring Security Council resolutions that explicitly condemn such behaviour may be hazardous and seen as shifting gears towards a more determinative decision.

Furthermore, it is clear that there can be no long-term and sustainable peace without justice. Therefore, ending impunity is essential to enhancing not only State responsibility and individual criminal liability for serious international crimes, but also peace, truth, reconciliation and the rights of victims.

The President (*spoke in Spanish*): I now give the floor to the representative of Armenia.

Mr. Martirosyan (Armenia): The Azerbaijani statement came as no surprise to my delegation. However, I will not engage in long polemics with the representative of our neighbouring State. The situation prevailing today was created by Azerbaijan, which two decades ago attempted to resolve the Nagorny Karabakh conflict by military force, obviously with unexpected consequences for itself. My delegation has had a number of opportunities in the past to provide conclusive information on the Nagorny Karabakh problem, and we do not think it would be appropriate to repeat our arguments here once again. However, I deem it necessary to reiterate that the Armenian side strongly believes that the fundamental resolution of the problem must be achieved on the basis of a comprehensive political settlement, taking into account the right of people to self-determination and a security guarantee for the people and population of Nagorny Karabakh.

I join my colleagues in thanking the Secretary-General for providing us with his in-depth analysis of the international mediation practices of the United Nations. I would also like to thank Under-Secretary-General Lynn Pascoe for his concise and thorough presentation of the report (S/2009/189), which deals with an issue with which he is very familiar from his personal professional experience in the South Caucasus.

Despite the efforts of international community, inter- and intra-State conflicts are still threatening peace and security in different parts of the world. The United Nations Charter requires Member States to settle their disputes by peaceful means. There is no doubt that, among the various instruments the Charter offers to that end, mediation has proven to be the most promising one.

Undoubtedly, the success of any mediation is critically dependent on the selection of mediators, mechanisms for bringing the positions of the conflicting parties into alignment, and instruments to implement the agreed decisions.

Without questioning the importance of the United Nations in that regard, I concur with those of my colleagues who have stressed the key role of regional organizations as the most appropriate mediators. Shortly after the creation of the United Nations, international developments led to the formation of various regional initiatives and organizations. It became obvious that the international community needed a number of organizations to address the challenges arising in different regions. These organizations have been extremely instrumental in handling regional problems and mediating the settlement of disputes.

Among them, the largest regional security organization in the world — the Organization for Security and Cooperation in Europe — holds a special place. It operates on the basis of the fundamental principle of consensus, which distinguishes favourably it from other international forums. We strongly believe that only consensus among the concerned parties can lead to a genuine compromise and guarantee a lasting and durable solution to disputes. We maintain that only after that regional organization has brokered a political settlement through its mandated representatives should the United Nations, with its well-established mechanisms, resources and expertise, lead the implementation process to ensure the successful fulfilment of the agreements reached.

If that does not occur, one should not be surprised when attempts to impose conflict settlement formulas from the existing negotiation format through decisions taken by a simple majority of votes not only prove ineffective, but may jeopardize a fragile peace and ongoing talks.

The next important issue to which I would like to call the Council's attention is confidence-building policies and the essential role that mediators can play in this regard. It is widely recognized that, regardless of the format and mechanisms of international mediation, agreements reached hardly have a chance to be successfully implemented without a proper level of trust and confidence among the conflicting parties. Regrettably, despite its importance, this issue does not receive due attention in the report.

In conclusion, the Armenian delegation expresses its appreciation to the Mexican presidency for organizing this open debate. It gave us an opportunity to present our views on the important issue of mediation and settlement of disputes, and we hope that our positions will be duly considered on relevant occasions.

The President (*spoke in Spanish*): I now give the floor to the representative of United Republic of Tanzania.

Mr. Mahiga (United Republic of Tanzania): At the outset, Sir, I would like to congratulate you on your assumption of the presidency of the Council for this month of April. I also thank you for organizing this meeting on such an important and vital subject. We thank the Secretary-General for his report (S/2009/189), which has given us a thorough analysis of the importance of mediation activities. We recognize that the report was requested by the Security Council last September, a fact that underscores the importance the Council is placing on mediation in its overall responsibility for maintaining international peace and security in the continuum of prevention, peacemaking, peacekeeping and peacebuilding.

We commend the efforts of the Secretary-General in establishing the Mediation Support Unit and urge continued support to it by the Council and all other Member States, in terms of both financial and human resources. It is also important that the work of the Unit continue to be coordinated within the Department of Political Affairs to ensure coherence and coordination. We also call upon the involvement of more women to support mediation work in the Secretariat and the field, pursuant to resolutions 1325 (2000) and 1820 (2008).

The role of mediation in the overall architecture of international peace and security is now getting the attention it deserves in relation to other aspects of the equation, especially peacekeeping and humanitarian response. Of course, more needs to be done by focusing appropriate attention on the three distinct but related areas of mediation.

Mediation has a crucial role to play in preventing the outbreak of conflicts through the timely defusing of simmering tensions, as indicated by early warning systems, if they are in place. Mediation must therefore be linked with early warning mechanisms at all levels: national, regional and international.

The second area of mediation is in securing the cessation of hostilities and negotiating ceasefires and peace agreements. This role has been the most prevalent and has been closely related to the work of the Security Council, as it entails the eventual deployment of peacekeeping missions. Experience has shown that this stage demands coordinated action between the Security Council, the good offices of the Secretary-General and regional and local actors. The framework for this coordinated action needs to be strengthened through political action and capacity-building.

Mediation should also follow through on the implementation of peace agreements. Several peace agreements have faltered before being implemented or have stalled and fallen apart halfway through the implementation stage. Mediators with different abilities and sometimes in different combinations have to intervene to shore up peace processes and put them back on track. The Security Council has to be actively engaged and must provide its needed leadership and political leverage to rescue and resuscitate peace processes where such faltering is taking place.

In the Democratic Republic of the Congo, for example, there has been a new peace agreement between the Government and the Congrès national pour la défense du people. In Darfur, there is a need to negotiate a new peace agreement. We have witnessed several peace agreements in several situations within ongoing peace processes where the Security Council has already deployed peacekeeping mission. Mediators with different skills and backgrounds may be needed to continue negotiating as the need arises within a single

peace process where several peace agreements may be needed, involving different mediators.

The third area is related to mediators in situations where they are acting as reserves or facilitators in the process of peacebuilding, as in Burundi currently. This takes the form of efforts to create favourable environments for reconciliation, political accommodation and related tasks to prevent post-conflict situations from relapsing into conflict.

These are all different variations of mediation tasks, which the Secretariat and the Security Council need to develop and put into the form of workable tools within the United Nations and in partnership with regional organizations.

Tanzania has, over the years, built experience in mediation and peace facilitation in East and Central Africa. We have seen gaps that need to be filled by strengthening institutional links between the Security Council and regional and subregional institutions in conflict resolution. The work of the Council would be greatly improved and strengthened if the United Nations were to invest more in political partnerships with regional organizations, such as the African Union, which are equipped to face the political challenges and opportunities and which need to be supported by the Council and the Secretary-General.

The President (*spoke in Spanish*): I now give the floor to the representative of Benin.

Mr. Zinsou (Benin) (*spoke in French*): My delegation congratulates you sincerely, Sir, on your assumption of the presidency of the Security Council. We also express our appreciation to the representative of the Libyan Arab Jamahiriya, who did a commendable job this past month as President.

There is no doubt that mediation is a powerful instrument for the positive transformation of relations between the parties to a dispute, and one that makes it possible to avoid the escalation of armed violence. Burkina Faso, which is making an outstanding contribution to mediation in Africa, has quite rightly made the promotion of mediation a priority during its term on the Security Council.

Today's debate is of particular interest to Benin, since we have made dialogue the cement that reinforces, day after day, the building of our young democracy, which came into being at the memorable national conference of February 1990. That exceptional forum dedicated to national reconciliation was made possible thanks to the masterful mediation of the local Catholic Church.

Governments of Benin since 1991 have striven to maintain special channels of cooperation within and between national democratic institutions and among social partners to avoid or contain tensions that could escalate.

In recent years, the political landscape in Benin has been enriched by two new national institutions. The Presidential Mediation Body, which is associated with the presidency of the Republic, is responsible for settling disputes between citizens and the administration at the national and local levels. The High Council on Cooperative Governance seeks consensus-based solutions to challenges confronting the country. Its purpose is to consolidate the direction of the nation's governance in an environment of peace and concord in order to perpetuate the legacy of the national conference of February 1990 by managing public affairs in a participatory manner.

At the subregional level, Benin participates in efforts undertaken in the framework of the African Peace and Security Architecture, which includes functioning mediation mechanisms. Inter alia, it has placed its national competencies at the service of the African Union Panel of the Wise and the Economic Community of West African States. Two high-profile women from Benin are members of those mediation boards. Benin is currently presiding over the Association of Mediators of the West African Economic and Monetary Union, comprising French-speaking States of the subregion.

At the global level, Benin has helped to revive the international community's interest in mediation, and above all in the critical role of the Security Council in that field, by implementing resolution 1625 (2005), adopted on 14 September 2005, which includes explicit provisions on mediation and preventive diplomacy. We recall that the Secretary-General submitted a very instructive report (S/2008/18) in January 2008 on efforts made pursuant to resolution 1625 (2005). Benin welcomes the significant progress made since then in the capacity-building of the United Nations, and in particular of the Department of Political Affairs, in the field of mediation support, which is also covered by the report before us today

(S/2009/189), which is a useful complement to the aforementioned report.

Benin welcomes the Secretary-General's proposal to act on the United Nations commitment to developing mediation. The importance of the Secretary-General's report lies in particular in the fact that he highlights lessons learned from the practice of mediation, as well as steps taken or to be taken to meet challenges to the efficacy of the international community's conflict prevention efforts. My delegation feels that the stress placed on the quality of the human resources required is fully justified, particularly with respect to the need to train new staff capable of meeting any challenge.

The United Nations should endorse the African Union's 2002 appeal to all its members to develop mechanisms for the pacific settlement of disputes. In that respect, development assistance funds and programmes should lend effective support to the capacity-building efforts of national and regional mediation institutions.

It is important effectively to promote strong partnership based on subsidiarity and the comparative advantages of stakeholders so that the Security Council can exercise its primary responsibility for the maintenance of international peace and security. It must be able to use appropriately the instruments available to it, including sanctions. In that way, it can help proactively to create the conditions for the rational and cost-effective management of uncertain situations and crises in order to ensure post-conflict peacebuilding if violence has unavoidably escalated.

In sum, Benin supports the Secretary-General's recommendations on the capacity-building of regional and subregional organizations and other agents for mediation and conflict settlement and prevention. Accordingly, the United Nations system should act in a concerted and coherent manner, in particular to ensure the structural and systematic prevention of conflicts that will allow it resolutely to address the elimination of the underlying causes of conflict, endogenous and exogenous alike. The primary goal is to build a world driven by the culture of peace and the virtues of dialogue at the service of the stability of countries and the promotion of universal well-being.

In conclusion, my delegation associates itself with the presidential statement to be adopted at the end of this meeting.

The President (*spoke in Spanish*): I call on the representative of the Sudan.

Mr. Mohamad (Sudan) (*spoke in Arabic*): At the outset, I should like to congratulate you, Sir, on your assumption of the presidency of the Security Council for this month. As a seasoned diplomat from a friendly country, you and I speak in many of the same forums and share many qualities and aspirations to peace, stability and development. Your convening of today's debate on mediation and the settlement of disputes attests to your profound interest in the problems and concerns of the developing countries, in particular those in Africa. You are thereby building on the pioneering initiative of Burkina Faso in organizing, in September 2008, the first high-level exchange of views on this extremely important subject under its own presidency of the Security Council.

I hope that today's deliberations will identify an objective, mandatory approach stressing the absolute priority of eliminating the underlying causes and origins of conflict through effective mediation and the overall political settlement of disputes, strongly and seriously supported by the Security Council and the international community, and in particular by relevant international and regional partners. The Security Council will thereby be in a position to best discharge its responsibility for maintaining international peace and security by ensuring stability and long-term security, pursuant to its mandate and the provisions of paragraph 3 of Article 2, and Articles 3, 33 and 36 of the United Nations Charter.

We support the statement delivered by the representative of Cuba on behalf of the Non-Aligned Movement.

The founding fathers of the United Nations were well aware more than six decades ago that peace must be established before it can be maintained. They were convinced that international peace and security can be best safeguarded through the peaceful and political settlement of disputes. The Charter reaffirms the United Nations key role in mediation efforts and in peacebuilding. The role of the Security Council should not be limited to dispatching peacekeeping missions, which now number 18 staffed by more than 100,000 personnel. That is a heavy burden on resources, especially in consideration of the current global economic and financial crisis.

The Security Council must therefore work tirelessly to promote the peaceful settlement of disputes. Regardless of the independence, impartiality, objectivity and expertise of mediators, all influential parties, in particular the Security Council and the regional and subregional organizations directly involved with the parties to a conflict, must contribute to the solution. It goes without saying that the Council's adoption of neutral and impartial positions vis-à-vis the parties to a conflict remains the keystone to resolving conflicts.

Given their direct links to the geopolitical, cultural and social aspects of conflicts, regional and subregional organizations are best placed to undertake mediation efforts, particularly since modern conflicts among and within States are becoming increasingly complex. The intervention of regional and subregional organizations therefore provides added value, particularly when they attach great importance to the political settlement of conflicts. The Constitutive Act of the African Union stresses the importance of the pacific settlement of disputes and of preventing them before they erupt. Given the United Nations cumulative experience in this area, we reaffirm its role in supporting regional mediation efforts, in particular by lending technical and logistical support and required expertise.

The political settlement of conflicts requires the promotion and activation of the role of the United Nations and of its competent bodies, including the General Assembly, the Economic and Social Council and the relevant funds and agencies, in order to build the national capacities of States and help them reach the Millennium Development Goals by supporting national projects for development, reconstruction and economic recovery, transfer of technology, and the fight against climate change and environmental degradation, because development remains a decisive factor for building lasting peace.

Indeed, addressing the root causes of conflicts is the best way to ensure lasting peace and the avoidance of a return to war. Moreover, the promotion of the United Nations conflict prevention capacity will undoubtedly make it possible to make considerable savings in the exorbitant cost of peacekeeping operations.

In conclusion, we would like to recall something that we have consistently reiterated in the Council on many occasions before: the Darfur conflict in our country could not have endured so long had the Security Council at the very outset brought its full weight to bear to support the political settlement efforts, particularly because there was a strong national will to turn the page in this conflict. That will was shown recently in the national comprehensive integrated plan adopted through decisions and recommendations of the Sudan People's Forum. That initiative laid the foundation for international and regional efforts to bring about an immediate, comprehensive and just peace in Darfur. We stress in particular the promising efforts of the African-Arab initiative led by the State of Qatar in coordination and cooperation with the Joint African Union-United Nations Chief Mediator, Djibril Bassolé.

Furthermore, armed movements that have continued to boycott the peace process would not have been able to continue to reject the peace option if the Security Council had carried out its role by sending the right messages to the leaders of those movements. Those movements would not have stayed away from the peace process were it not for the attitude of certain influential Powers which had sent them the wrong message by closing their eyes to their excesses and even welcoming their leaders.

Everyone knows that the hasty, ill-considered decision by the International Criminal Court had negative results. The first one was the announcement by certain armed movements that they were going to boycott the political process. One might have hoped that the Security Council would have protected the political process against such risks and dangers. Thus, we wish to reaffirm that the credibility of the Security Council and the fact that it has chosen peace and stability in the Sudan should impel the Council to definitively reject all of these risky and ill-considered ventures and to rectify the situation by exerting pressure on the rebel movements so that a peaceful political solution can be found, one that can give the people of the Sudan stability and prosperity.

The President (*spoke in Spanish*): After consultations among the members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

> "The Security Council recalls the statement of its President of 23 September 2008 (S/PRST/2008/36) and takes note of the report of

the Secretary-General on enhancing mediation and its support activities (S/2009/189), as well as the recommendations contained therein.

"The Security Council, in accordance with the Charter of the United Nations and as the organ with the primary responsibility for the maintenance of international peace and security, underscores its intention to remain engaged in all stages of the conflict cycle, including in support of mediation, and expresses its readiness to explore further ways and means to reinforce the promotion of mediation as an important means for the pacific settlement of disputes, wherever possible before they evolve into violence.

"The Security Council recognizes the importance of mediation, to be launched at the earliest possible phases of conflicts, as well as in the implementation phases of signed peace agreements and underlines the need to design mediation processes that address the root causes of conflicts and contribute to peacebuilding, in order to ensure sustainable peace.

"The Security Council stresses that the principal responsibility for the peaceful settlement of disputes rests with the parties to the conflict and that it is only through their full participation and genuine commitment to resolve the conflict, including its underlying causes, that peace can be achieved and sustained. In this regard, the Council underlines the importance of building national and local capacity for mediation.

"The Security Council emphasizes the importance of the actions undertaken by the United Nations Secretary-General in promoting mediation and in the pacific settlement of disputes and welcomes the continued efforts by the Department of Political Affairs, in particular through the Mediation Support Unit, to respond to emerging and existing crises. It underscores that mediation support efforts should be responsive to the demands of fast-moving peace processes.

"The Security Council recalls the important contribution of Member States, regional and subregional organizations, civil society and other stakeholders to the pacific settlement of disputes. The Council welcomes the efforts made by regional and subregional organizations to enhance their mediation role and appreciates the efforts of the Secretary-General to continue to assist them in this regard.

"The Security Council urges the Secretariat to work with all partners to ensure the availability of well-trained, experienced and geographically diverse mediation experts at all levels to ensure the timely and highest-quality support to mediation efforts, and it urges those possessing cadres of mediation experts to cooperate with the Secretariat in this endeavour.

"The Security Council further requests the Secretary-General to work in partnership with Member States, regional and subregional organizations and other relevant partners in a coordinated and mutually complementary manner when cooperating in a mediation process.

"The Security Council notes with concern the very low numbers of women in formal roles in mediation processes and stresses the need to ensure that women are appropriately appointed at decision-making levels, as high-level mediators and within the composition of the mediators' teams in line with resolutions 1325 (2000) and 1820 (2008). It reiterates its call to the Secretary-General and the heads of regional and subregional organizations to take the appropriate measures to that end.

"The Security Council requests the Secretary-General to keep it informed of the action undertaken by him in promoting and supporting mediation and pacific settlement of disputes, ensuring coherence with the ongoing efforts to strengthen peacebuilding and peacekeeping."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2009/8.

I thank all delegations for participating in today's discussion.

There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 5.40 p.m.